

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MARY WILLIAMS

PLAINTIFF

VS.

CIVIL ACTION NO. 4:13CV225-SAA

WINONA MANOR HEALTHCARE, LLC, et al.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On September 18, 2014, Magistrate Judge David A. Sanders submitted a Report and Recommendation [Docket 50] regarding resolution of defendants' Motion to Dismiss and Enforce Settlement [Docket 35] and a Motion to Withdraw as Attorney and Assert Lien [Docket 45] filed by plaintiff's counsel. The plaintiff has filed *pro se* an objection to the Report and Recommendation [Docket 52], and defendants have responded. Docket 53.

The court has reviewed the record, including the filings by the parties relating to the disputed settlement and the documents to which Judge Sanders referred in his Report and Recommendation. The plaintiff has made no specific objection to the findings and conclusions in Judge Sanders's Report and Recommendation itself, nor has she cited any authority in support of her position. The plaintiff's objection therefore does not comport with Federal Rule of Civil Procedure 72(b)(2).

For the most part, plaintiff simply expresses general dissatisfaction with her attorney, alleging that he deceived her and pressured her into the settlement. However, she does not dispute that she agreed to the terms of the settlement at the settlement conference, only regretting the settlement agreement after she left the courthouse that day. She was in the courtroom during announcement of the terms of settlement and voiced no objection at that time. After a hearing on the motion to enforce the settlement, Judge Sanders limited the terms of the settlement to those

specifically articulated on the record in open court at the conclusion of the settlement conference. He addressed and discounted plaintiff's articulated concerns, finding that her belief that her counsel was deceitful grew out of her misperceptions of legal theory and misinterpretations of legal terminology and pleading. It is therefore,

ORDERED

That the Report and Recommendation of United States Magistrate Judge David A. Sanders dated September 18, 2014 is approved and adopted as the opinion of the court, and the proposed findings of fact and conclusions of law therein set out are adopted as the findings of fact and conclusions of law of the court.

The plaintiff is granted judgment against the defendants in the agreed upon amount. However, the agreed upon amount is subject to the lien held by plaintiff's former counsel. Defendants must satisfy the judgment by sending payment in the amount of \$6,301.03 to Moore Law Office PLLC to satisfy the lien held by plaintiff's former counsel Carlos Eugene Moore and Tangala LaNiece Hollis for reasonable attorneys fees and expenses, and the balance due under the settlement agreement to plaintiff Mary Williams. A separate judgment will be entered this date. The full amount of the judgment will be reflected in an unredacted Final Judgment, access to which will be restricted to counsel, the parties and the court, with a redacted version placed on the public docket.

This, the 9th day of October, 2014.

/s/ S. Allan Alexander
UNITED STATES MAGISTRATE JUDGE